

PROOF OF PUBLICATION

(2015.5 C. C. P.)

This space is for the County Clerk's Filing Stamp

STATE OF CALIFORNIA,

County of Stanislaus

2008 JAN 14 PM 12:34

Proof of Publication of

CNSB**USA VS JOSE DIAZ**RECEIVED
UNITED STATES MARSHAL
07 DEC 31 AM 7:39
EASTERN DISTRICT
OF CALIFORNIA

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of twenty-one years, and not a party to or interested in the above entitled matter. I am the principal clerk of THE OAKDALE LEADER, 122 South Third Avenue, Oakdale, California, a newspaper of general circulation, published in Oakdale, California in the City of Oakdale, County of Stanislaus, and which newspaper has been adjudged a newspaper of general circulation, by the Superior Court of the County of Stanislaus, State of California. That the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

December 5, 12, 19,
all in the year 2007.

I certify or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Oakdale,

California, this day, 19th day of December, 2007.

Annie Lemons

Signature



**PUBLIC NOTICE
IN THE
UNITED STATES
DISTRICT COURT
FOR
THE DISTRICT
OF HAWAII**

UNITED STATES
OF AMERICA v.
JOSE DIAZ, De-
fendant.

Cr. Nos. 05-
00190-01 JMS and
06-00406 JMS.

NOTICE IS HEREBY

GIVEN that on No-

vember 6, 2007, in

the above-cap-

tioned case, the

United States Dis-

trict Court for the

District of Hawaii

entered a Prelimi-

nary Order of For-

feiture condemning

and forfeiting the

interest of Jose Di-

az in the below

listed properties

and condemning

and forfeiting the

properties to the

United States of

America:

Thirty Thousand

Two Hundred Dol-

lars (\$30,200) in

United States Cur-

rency; and

Fourteen Thousand

Eight Hundred

Seventy-Three

Dollars (\$14,873)

in United States

Currency.

YOU ARE HEREBY

NOTIFIED that the

United States in-

tends to dispose of

these properties in

such manner as

the United States

Department of

Homeland Security

and the United

States Postal Ser-

vice may direct.

Pursuant to 21

U.S.C. §

853(n)(1), if you

have a legal inter-

est in any of these

properties, WITHIN

THIRTY (30) DAYS

of the final publi-

cation of this no-

tice or of receipt of

actual notice,

whichever is earli-

er, you must peti-

tion the United

States District

Court for the Dis-

trict of Hawaii, 300

Ala Moana Boule-

vard, Room C-338,

est in the proper-
ties. If a hearing is
requested, it shall
be held before the
Court alone, with-
out a jury.

THE PETITION
must be signed by
the petitioner un-
der penalty of per-
jury, as establish-
ed in 28 U.S.C. §
1746, and shall set
forth the nature
and extent of your
right, title and in-
terest in the prop-
erties, the time
and circumstances
of your acquisition
of the right, title or
interest in the
properties and any
additional facts
supporting your
claim and the relief
sought.

A copy of the peti-
tion should be
served on Assis-
tant United States
Attorney Rachel S.
Moriyama, 300 Ala
Moana Boulevard,
Room 6-100, Hon-
olulu, Hawaii
96850.

Pursuant to 21
U.S.C. §
853(n)(2), NEI-
THER A DEFEND-
ANT IN THE
ABOVE-STYLED
CASE NOR HIS
AGENT IS ENTI-
TLED TO FILE A
PETITION.

ANY HEARING on
your petition shall,
to the extent prac-
ticable and consis-
tent with the inter-
ests of justice, be
held within thirty
(30) days of the
filing of your peti-
tion. The Court
may consolidate
your hearing on
the petition with
any other hearings
requested on any
other petitions
filed by any other
person other than
the defendant
named above.

YOU HAVE THE
RIGHT at the hear-
ing to testify and
present evidence
and witnesses on
your own behalf,
and cross-examine
witnesses who ap-
pear at the hear-
ing. The United
States may pres-
ent evidence and
witnesses in rebut-

tal and in defense
of its claim to the
properties and
cross-examine wit-
nesses who appear
at the hearing. In
addition to testi-
mony and evi-
dence presented at
the hearing, the
Court shall consid-
er the relevant
portions of the re-
cord of the crimi-
nal cases which re-
sulted in the Pre-
liminary Order of
Forfeiture.

If, after the hear-
ing, the Court de-
termines that the
petitioner has es-
tablished by a pre-
ponderance of the
evidence that: (a)
the petitioner has
a legal right, title
or interest in the
properties, and
such right, title or
interest renders
the Preliminary Or-
der of Forfeiture
invalid in whole or
in part because the
right, title or inter-
est was vested in
the petitioner rath-
er than the de-
fendant or was su-
perior to any right,
title or interest of
the defendant at
the time of the
commission of the
acts which gave
rise to the forfei-
ture of the prop-
erties; or (b) the pe-
titioner is a bona
fide purchaser for
value of the right,
title or interest in
the properties and
was at the time of
purchase reason-
ably without cause
to believe that the
properties was
subject to forfei-
ture; the Court
shall further
amend the Prelimi-
nary Order of For-
feiture in accord-
ance with its de-
termination.

IF YOU FAIL TO
FILE A PETITION
TO ASSERT YOUR
RIGHT, TITLE OR
INTEREST IN THE
ABOVE-DESCRI-
BED PROPERTIES
WITHIN THIRTY
(30) DAYS OF
THIS NOTICE,
YOUR RIGHT, TI-
TLE AND INTER-
EST IN THESE
PROPERTIES

SHALL BE LOST
AND FORFEITED
TO THE UNITED
STATES OF AMERI-
CA. THE UNITED
STATES THEN
SHALL HAVE
CLEAR TITLE TO
THE PROPERTIES
HEREIN DESCRIBED
AND MAY WARRANT
GOOD TITLE TO ANY
SUBSEQUENT
PURCHASER OR
TRANSFeree.
12/5, 12/12,
12/19/07
CNS-1235871#
OAKDALE LEADER
DECEMBER 5, 12,
19, 2007
OL#07-550